

MEDICINE BOARD[653]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 147.76 and 272C.3, the Board of Medicine hereby proposes to amend Chapter 13, “Standards of Practice and Principles of Medical Ethics,” Iowa Administrative Code.

The purpose of rule 653—13.2(148,272C) is to set standards of practice for physicians who diagnose and treat patients suffering with acute or chronic pain. The proposed amendments require physicians to use patient-physician agreements when a patient’s chronic pain is treated with controlled substances or opiates and encourage physicians to use the Iowa Prescription Monitoring Program database and to conduct drug testing on patients when treating chronic pain with controlled substances or opiates.

The Board approved this Notice of Intended Action during a regularly scheduled meeting on February 11, 2011.

Any interested person may present written comments on these proposed amendments not later than 4:30 p.m. on March 29, 2011. Such written materials should be sent to Mark Bowden, Executive Director, Board of Medicine, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa 50309-4686; or sent by E-mail to mark.bowden@iowa.gov.

There will be a public hearing on March 29, 2011, at 2:30 p.m. in the Board office, at which time persons may present their views either orally or in writing. The Board of Medicine is located at 400 S.W. Eighth Street, Suite C, Des Moines, Iowa.

These amendments are intended to implement Iowa Code chapters 148 and 272C.

The following amendments are proposed.

ITEM 1. Amend paragraph **13.2(5)“g”** as follows:

g. Physician-patient agreements. A physician ~~treating~~ who treats patients for chronic pain with controlled substances or opiates shall ~~consider establishing~~ establish a physician-patient agreements pain management agreement with each patient being treated that specify specifies the rules for medication use and the consequences for misuse. In preparing an agreement, a physician shall evaluate the case of each patient on its own merits, taking into account the nature of the risks to the patient and the potential benefits of treatment. A sample physician-patient pain management agreement may be found at the board’s Web site at <http://medicalboard.iowa.gov/>.

ITEM 2. Reletter paragraph **13.2(5)“i”** as **13.2(5)“j.”**

ITEM 3. Adopt the following **new** paragraph **13.2(5)“i”**:

i. Drug testing. A physician who treats patients for chronic pain shall consider utilizing drug testing to ensure that patients are receiving appropriate therapeutic levels of prescribed medications and are not abusing other drugs.

ITEM 4. Renumber subrule **13.2(7)** as **13.2(8)**.

ITEM 5. Adopt the following **new** subrule 13.2(7):

13.2(7) Prescription monitoring program. The Iowa board of pharmacy has established a prescription monitoring program pursuant to Iowa Code sections 124.551 to 124.558 to assist physicians and pharmacists in monitoring the prescription of controlled substances to patients. The board strongly recommends that physicians utilize the prescription monitoring program when prescribing controlled

substances to patients. A link to the prescription monitoring program may be found at the board's Web site at <http://medicalboard.iowa.gov/>.